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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/711,462

09/20/2004

Bogdan Radu

MASL-57

5461

37690

7590

01/19/2006

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EXAMINER

MAKIYA, DAVID J

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/711,462	RADU ET AL.	
	Examiner	Art Unit	
	David J. Makiya	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6 total sheets</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson, Jr et al. (US Patent 6,464,381) in view of Boerema et al. (US Patent 4,670,819).

With respect to claim 1, Anderson, Jr. et al. teaches an automotive interior component for a passenger cabin of a vehicle, comprising a moldable body 20 adapted to be attached to a portion of the passenger cabin 10 and an electroluminescent lamp 12 integrally molded with the body to define a unitary assembly (Column 4, Lines 57-65). However, Anderson, Jr. et al. fails to teach the body to be a polymer. Boerema et al. teaches an automotive interior component for a passenger cabin of a vehicle comprising a light source 72 integrally molded to a polymer body 42. It would have been obvious to one of ordinary skill in the art at the time of the invention to specify the moldable material of Anderson, Jr. et al. to be a polymer from the teachings of Boerema et al. because polymers are strong, durable, and easily moldable.

With respect to claims 10 and 12, Anderson, Jr. et al. teaches a method of making an automotive interior component in a mold with mold sections that form a mold cavity with a geometrical shape (Column 4, Lines 25-27) resembling the automotive interior component and a gate for filling the mold cavity, comprising placing an electroluminescent lamp 12 between the mold sections, closing the mold sections and injecting a molten material through the gate to fill a

portion of the mold cavity unfilled by the electroluminescent lamp, and opening the mold sections after the molten material solidifies and ejecting the automotive interior component from the mold (Column 4, Lines 57-65). However, Anderson, Jr. et al. fails to teach the material to be a polymer. Boerema et al. teaches an automotive interior component for a passenger cabin of a vehicle comprising a light source 72 integrally molded to a bolster 42 which is used for mounting to a door trim panel. It would have been obvious to one of ordinary skill in the art at the time of the invention to specify the moldable material of Anderson, Jr. et al. to be a polymer from the teachings of Boerema et al. because polymers are strong, durable, and easily moldable.

With respect to claim 11, Anderson, Jr. et al. teaches the method further comprising shaping the automotive interior component after ejection from the mold to define a final geometrical shape (Column 4, Lines 25-27).

Claims 2-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boerema et al. in view of Fernandez (US Patent 5,434,013).

With respect to claim 2, Boerema et al. teaches an automotive interior component for a vehicle door comprising a door trim panel 40 capable of being mounted to the vehicle door, the door trim panel including an opening (Figure 4), a bolster 42 engaged with the door panel to conceal the opening, and a lamp 72 mounted 70 to the bolster, the lamp emitting visible light, when powered, that illuminates at least a portion of the door trim panel. However, Boerema et al. fails to teach the light source to be an electroluminescent lamp. Fernandez teaches the use of an automotive interior component for a vehicle door 80 that uses an electroluminescent lamp 12 that emits visible light that illuminates at least a portion of a door trim panel (Figure 6). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the

lamp to be an electroluminescent light source because electroluminescent light sources emit visible light at a low voltage while maintaining a low temperature.

With respect to claim 3, Boerema et al. teaches the automotive interior component wherein the bolster is removable from the trim panel to expose the opening. Because the bolster 42 is secured using a clip 60, the examiner is interpreting the reference such that the bolster is removable because the bolster would be removed without damaging the functionality of the device.

With respect to claim 4, Boerema et al. teaches the automotive interior component wherein the bolster and the electroluminescent lamp are integrally molded to define a unitary construction (Figure 4).

With respect to claim 5, Boerema et al. teaches the automotive interior component further comprising a covering 58 attached to the bolster, the covering positioned relative to the electroluminescent lamp such that visible light emitted by the electroluminescent lamp is directed through the covering.

With respect to claims 6-8, Boerema et al. teaches the automotive interior component as described above where the covering includes only a singular opening to emit visible light. Boerema et al. fails to teach the covering includes a plurality of openings through which visible light is transmitted, nor does it teach the openings having a recognizable shape, such as a alphanumeric character. Fernandez further teaches the electroluminescent lamp having a covering 26 with a plurality of openings 60 through which visible light from the electroluminescent lamp is transmitted. In addition, Fernandez teaches those openings having a shape recognizable as a symbol, in this case, a plurality of alphanumeric characters (Figure 4). It

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would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the opening to be a plurality of openings in the a recognizable form, since the courts have stated that matters relating to ornamentation only which have no mechanical function cannot be relied upon to patentably distinguish the claimed invention from the prior art. *In re Seid*, 161 F.2d 229, 73 USPQ 431 (CCPA 1947).

With respect to claim 9, Boerema et al. teaches the automotive interior component as described above, but fails to teach the ability to change the color of the emitted visible light. Fernandez teaches the automotive interior component wherein the covering is a solid layer configured for changing a color of the visible light emitted by the electroluminescent lamp (Column 5, Lines 6-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the color of the emitted light, since the courts have stated that matters relating to ornamentation only which have no mechanical function cannot be relied upon to patentably distinguish the claimed invention from the prior art. *In re Seid*, 161 F.2d 229, 73 USPQ 431 (CCPA 1947).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hornung et al. (US Patent 6,160,475) teaches a molded door trim panel with light emitting openings. Hein et al. (US Patent 6,536,928) teaches a multi-color light for the interior of a car door.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Makiya whose telephone number is (571) 272-2273. The examiner can normally be reached on Monday-Friday 7:30am - 4:00pm (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee Luebke can be reached on (571) 272-2009. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DJM 01/10/2006

  
RENEE LUEBKE  
PRIMARY EXAMINER